

IN RE: PETITION FOR RESIDENTIAL * BEFORE THE
ZONING VARIANCE
SWC Oakland Road & Oakland Court * ZONING COMMISSIONER

5806 Oakland Road * OF BALTIMORE COUNTY
13th Election District
1st Councilmanic District * Case No. 95-88-A
Joseph R. Twilley
Petitioner *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Joseph R. Twilley for that property known as 5806 Oakland Road in the Winnewood subdivision of Baltimore County. The Petitioner/property owner herein seeks a variance from Section III - "A" Residence Zone C.3 as amended 1953 to permit a setback for a corner side of 7 ft. from the property line and 32 ft. from street centerline, in lieu of the required 15 ft. and 40 ft. respectively, for a proposed addition, as more particularly described on Petitioner's Exhibit No. 1, the plat to accompany the Petition.

The Petitioner having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioner has filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of

ORDER RECEIVED FOR FILING

Date

By


MICROFILMED

Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 7TH day of October, 1994 that the Petition for a Zoning Variance from Section III - "A" Residence Zone C.3 as amended 1953 to permit a setback for a corner side of 7 ft. from the property line and 32 ft. from street centerline, in lieu of the required 15 ft. and 40 ft. respectively, for a proposed addition, all in accordance with Petitioner's Exhibit No. 1, be and is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

1. The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES/mmh

ORDER RECEIVED FOR FILING

Date

By

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

October 6, 1994

Mr. Joseph R. Twilley
5806 Oakland Road
Baltimore, Maryland 21227

RE: Petition for Administrative Variance
Case No. 95-88-A
Property: 5806 Oakland Road

Dear Mr. Twilley:

Enclosed please find the decision rendered in the above captioned case. The Petition for Administrative Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Lawrence E. Schmidt", written over a horizontal line.

Lawrence E. Schmidt
Zoning Commissioner

LES:mmn
encl.

MICROFILMED





Petition for Administrative Variance

95-88-A

to the Zoning Commissioner of Baltimore County

for the property located at 5806 Oakland Road

which is presently zoned DR 5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) III - "A" Residence Zone C.3 as amended 1953 to permit a setback for a corner side of 7 ft. from property line and 32 ft. from street centerline in lieu of the required 15 ft. and 40 ft. respectfully. (For a proposed addition).

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

Existing property and building does not allow new proposed addition to be located anywhere else on the property. New proposed building addition is to be used for expansion of family.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

Phone No.

City

State

Zipcode

Legal Owner(s):

Joseph R. Twilley

(Type or Print Name)

Signature

N/A

(Type or Print Name)

Signature

5806 Oakland Road (410) 242-0483
Address Phone No.

Baltimore, Maryland 21227
City State Zipcode

Name, Address and phone number of representative to be contacted.

Joseph R. Twilley

Name

5806 Oakland Road (410) 242-0483
Address Phone No.

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this ____ day of _____, 19____, that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted.

Zoning Commissioner of Baltimore County

REVIEWED BY: *[Signature]*

DATE: 9/18/94

ESTIMATED POSTING DATE: 9/18/94



Printed with Soybean Ink
on Recycled Paper

ITEM #: 97

MICROFILMED

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 5806 Oakland Road
address
Baltimore, Maryland 21227
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (Indicate hardship or practical difficulty)

The existing Lot size and construction and position of
existing building will not allow addition to be placed or
located at any other position on the property.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Joseph R. Twilley
(signature)
Joseph R. Twilley
(type or print name)



(signature)

(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 25th day of August, 19 94, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Maryland

the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiantt(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

8/25/94
date

John A. Jett
NOTARY PUBLIC

My Commission Expires: October 15, 1994

95-88-A
97

ZONING DESCRIPTION FOR : 5806 Oakland Road
Election District 13 Councilmanic District 01

Begining at a point on the West side of Oakland
Road which is 60 ft. wide at a
distance of 0 ft. South of Oakland
Court which is 50 ft. wide. Being Lot
2 Block E, Section # 2 in the subdivision
of Wynnewood as recorded in Baltimore County
Plat Book # 20, Folio # 155, containing
.22 acres.

MICROFILMED

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Townson, Maryland

95-88-A

District 13th

Date of Posting 9/16/94

Posted for: Variance

Petitioner: Joseph R. Twilley

Location of property: 5806 Oakland Rd, SW/cor Oakland Ct

Location of Signs: Facing roadway on property being zoned

Remarks: _____

Posted by W. H. Stealy

Signature

Date of return: 9/23/94

Number of Signs: 1

RECEIVED
SEP 23 1994

MADE WITH A WELLS



Baltimore County
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt

95-88-A

Account: R-001-6150

Number 97

By JLL

Date 9/8/94

1 RES VAR CODE 010 \$50.00

1 SIGN. CODE 080 35.00

TOT = \$85.00

LOC. 5806 OAKLAND RD

OWNER: TWILLEY

MICROFILMED

03A03#0288MIC#RC

\$85.00

BA COLL#01AMD7-08-94

Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 97
Petitioner: JOSEPH R. Twilley
Location: 5806 OAKLAND ROAD

PLEASE FORWARD ADVERTISING BILL TO:

NAME: JOSEPH R. Twilley
ADDRESS: 5806 OAKLAND ROAD
Baltimore, Md. 21227
PHONE NUMBER: (410) 242-0483

MICROFILMED

AJ:ggs

(Revised 04/09/93)



Item Number: 97
Planner: JLL
Date Filed: 9-8-94

P E T I T I O N P R O C E S S I N G F L A G

This petition has been accepted for filing, after an initial review, and has been placed on the agenda for the zoning advisory committee. However, the following items were found to be missing or incomplete when the petition was included on the agenda by Sophia. A copy of this "flag" will be placed in the case file for the Zoning Commissioner's review. The planner that accepted the petition for filing has the option of notifying the petitioner and/or attorney prior to the hearing or Zoning Commissioner's review of the petition regarding the items noted below. If the petitioner/attorney is contacted by the planner, it is the petitioner's ultimate decision and responsibility to make a proper application, address any zoning conflicts, and to file revised petition materials if necessary. Delays and unnecessary additional expenses may be avoided by correcting the petition to the proper form.

 Need an attorney

 J The following information is missing:

 Descriptions, including accurate beginning point
 Actual address of property
 Zoning
 Acreage
 Plats (need 12, only submitted)
 200 scale zoning map with property outlined
 Election district
 Councilmanic district
 BCZR section information and/or wording
 Hardship/practical difficulty information
 Owner's signature (need minimum 1 original signature) and/or
 printed name and/or address and/or telephone number
 Contract purchaser's signature (need minimum 1 original
 signature) and/or printed name and/or address
 Signature (need minimum 1 original signature) and/or
 printed name and/or title of person signing for legal
 owner/contract purchaser
 Power of attorney or authorization for person signing for
 legal owner and/or contract purchaser
 Attorney's signature (need minimum 1 original signature)
 and/or printed name and/or address and/or telephone number
 ✓ Notary Public's section is ~~incomplete and/or incorrect~~
 ~~and/or commission has expired~~

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

Joseph R. Twilley
5806 Oakland Road
Baltimore, Maryland 21227

RE: Item No. 97, Case No. 95-88A
Petitioner: J. Twilley

SEP. 28 1994

Dear Petitioner:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on September 8, 1994 and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

- 1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.
- 2) Anyone using this system should be fully aware that they are responsible for the accuracy and completeness of any such petition. All petitions filed in this manner will be reviewed and commented on by Zoning personnel prior to the hearing. In the event that the petition has not been filed correctly, there is always a possibility that another hearing will be required or the Zoning Commissioner will deny the petition due to errors or incompleteness.
- 3) Attorneys, engineers and applicants who make appointments to file petitions on a regular basis and fail to keep the appointment without a 72 hour notice will be required to submit the appropriate filing fee at the time future appointments are made. Failure to keep these appointments without proper advance notice, i.e. 72 hours, will result in the forfeiture loss of the filing fee.

Very truly yours,
W. Carl Richards, Jr.

W. Carl Richards, Jr.
Zoning Supervisor,

WCR:jaw

MICROFILMED





Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary

Hal Kassoff
Administrator

9-14-94

Ms. Julie Winiarski
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: * 97 (JLL)

Dear Ms. Winiarski:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small

for David Ramsey, Acting Chief
Engineering Access Permits
Division

BS/

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

RECEIVED
SEP 15 1994

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: September 15, 1994

FROM: Pat Keller, Director
Office of Planning and Zoning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):

Item Nos. 90, 93, 94, 95, 96, (97) 98 and 99.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by:

Jeffrey W. Long

Division Chief:

Sampl. Kerns

PK/JL:lw

BALTIMORE COUNTY, MARYLAND
Interoffice Correspondence

TO: Arnold Jablon, Director DATE: September 26, 1994
Zoning Administration and Development Management

FROM: *PWB* Robert W. Bowling, P.E., Chief
Developers Engineering Section

SUBJECT: Zoning Advisory Committee Meeting
for September 26, 1994
Items 90, 91, 93, 94, 95, 97, 98 and 99

The Developers Engineering Section has reviewed
the zoning items for the subject meeting and we have
no comments.

RWB:sw

SEP 28 1994

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Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 09/22/94

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RECEIVED
SEP 26 1994

ZADM

RE: Property Owner: SEE BELOW

LOCATION: SEE BELOW

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 88, 90, 94, 95, 97,
98 AND 99.

REVIEWER: LT. ROBERT F. SAUERWALD
Fire Marshal Office, PHONE 887-4681, MS-1102F

cc: File



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on Recycled Paper

MICROFILMED

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: ZADM *Joyce Watson*
FROM: DEPRM
Development Coordination
SUBJECT: Zoning Advisory Committee
Agenda: *Sept. 17*

DATE: *9/22/94*

93.88.A

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s: *90*

95

96

97

98

99

88

LS:sp

LETTY2/DEPRM/TXTSBP

SEP. 28 1994

RECEIVED

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

September 16, 1994

NOTICE OF CASE NUMBER ASSIGNMENT

TO: Joseph R. Twilley
5806 Oakland Road
Baltimore, Maryland 21227

Re: CASE NUMBER: 95-88-A (Item 97)
5806 Oakland Road
SWC Oakland Road and Oakland Court
13th Election District - 1st Councilmanic

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

- 1) Your property will be posted on or before September 18, 1994. The closing date (October 3, 1994) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.
- 2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).
- 3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

Arnold Jablon
Director

RECEIVED
SEP 20 1994



95-88-A

OAKLAND COURT (50' WIDE)

OAKLAND ROAD (60' WIDE)

(Scale: 1"=30')

Plat No 1

PLAT TO ACCOMPANY PETITION FOR ZONING : VARIANCE

PROPERTY ADDRESS : 5806 Oakland Road

Subdivision name : Wynnewood

Plat Book # 20, Folio # 155, Lot # 2, Section # 2

OWNER : Joseph R. Twilley

LOCATION INFORMATION :

Election District: 13

Councillmanic District: 01

1" = 200' scale map#:

Zoning: DR 5.5

Lot Size: .22 ac. 9889 sq. ft.

Sewer: public yes

Water: public yes

Chesapeake Bay Critical Area: No

Prior Zoning Hearings: No

VACINITY MAP

Scale: 1" = 1000'



North

FRANCIS AVE

Oakland Rd

Oakland Court

Site

(Plat 01/02 (R+))

97

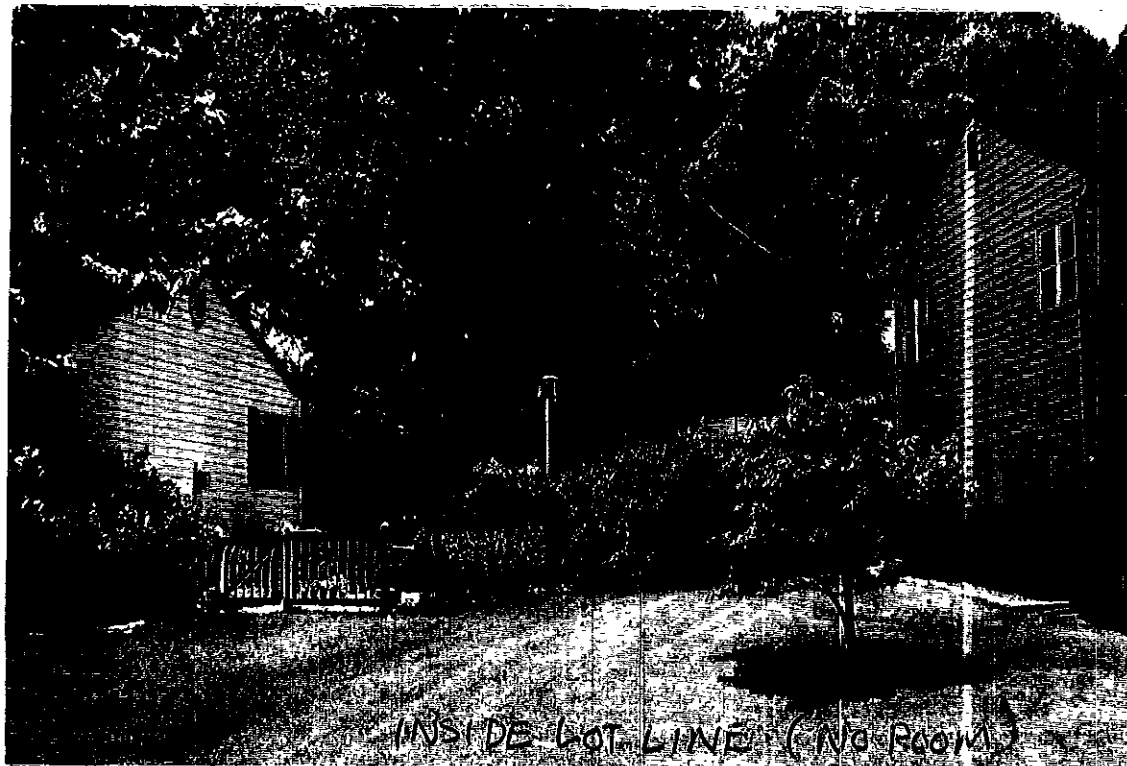
MICROFILMED

Date: 8/24/94

Prepared By: J.R. Twilley

Scale : 1" = 30'

95-88-A



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Tavern. [Bills No. 43, 19634; No. 85, 1967.]

Television shop.

Television studio.

Temporary or occasional outdoor sales of cut flowers, or live plants (not in connection with florists' establishments), provided that the sales area does not exceed 200 square feet and that the sales are carried on for no more than 120 days per year. Before approving an application for any license required, the zoning commissioner must approve a site plan for the premises, showing the sales area and the dates on which flowers or plants are to be sold. Any provision of these regulations to the contrary notwithstanding, the zoning commissioner's approval of such a license shall expire 1 year after its issuance; however, such a license may be reapproved annually upon request of the licensee. [Bill No. 174, 1981.]

Transit facilities. [Bill No. 91, 1990.]

Variety and dry goods store.

Veterinarian's office. [Bill No. 85, 1967.]

Veterinarian. [Bill No. 85, 1967.]

Wireless transmitting or receiving structures 200 feet or less in height above grade level (see Section 426). [Bill No. 64, 1986.]

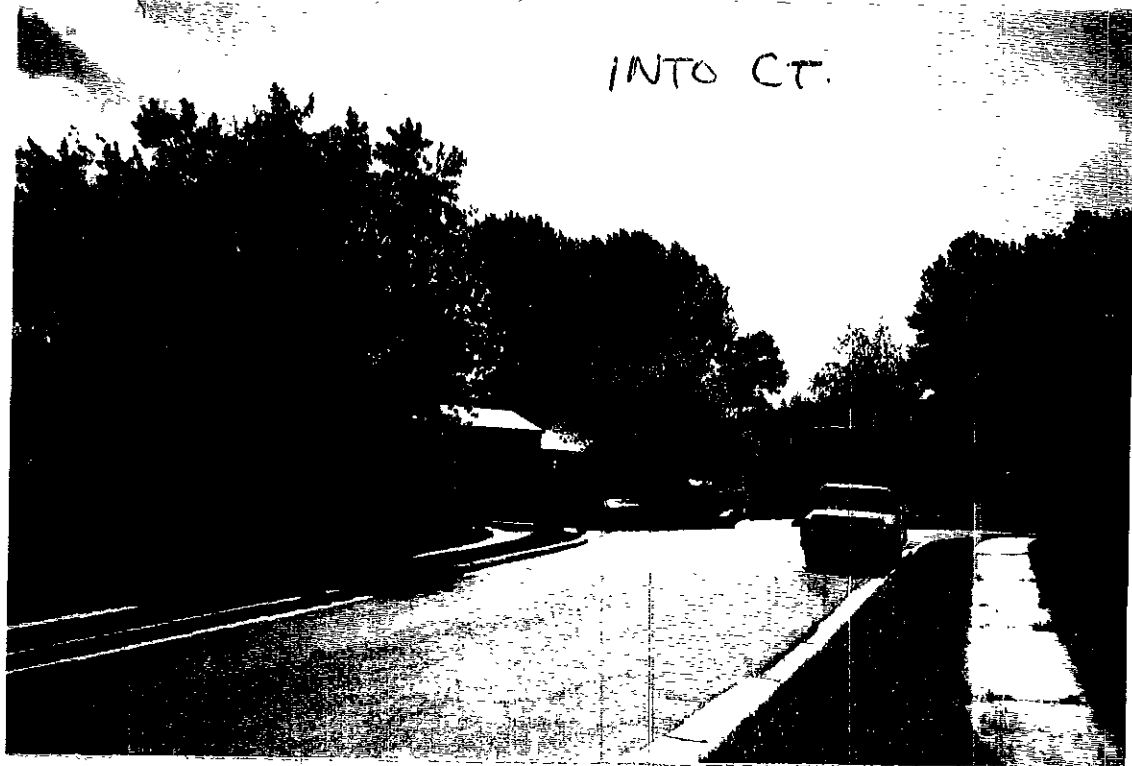
230.10--Combinations of the above uses. [Bill No. 111, 1968.]

230.11--Accessory uses or structures, including business signs (see Sections 413.2, 413.4, and 413.5), garages, and parking spaces for the use of owners, employees, tenants, and invitees. A maximum of six (6) coin-operated children's rides are permitted as an accessory use. [B.C.Z.R., 1955, Subsections 230.10 and 230.11; Bills No. 111, 1968; No. 29, 1982.]

230.12--All the above uses in Section 230 are subject to the following conditions:

- A. They shall be contained, except for signs, restaurants, swimming pools, outdoor sales or display areas, parking lots, helistops, or picnic groves within completely enclosed buildings. [B.C.Z.R., 1955; Bill No. 85, 1967.]
- B. Not more than 5 persons shall be engaged in the repair or fabrication of goods on the premises.
- C. Not more than 5 horsepower shall be employed in the operation of any one machine used in repair or fabrication, and not more than 15 horsepower in the operation of all such machines.

95-88-A



MICROFILMED

Tavern. [Bills No. 43, 19634; No. 85, 1967.]

Television shop.

Television studio.

Temporary or occasional outdoor sales of cut flowers, or live plants (not in connection with florists' establishments), provided that the sales area does not exceed 200 square feet and that the sales are carried on for no more than 120 days per year. Before approving an application for any license required, the zoning commissioner must approve a site plan for the premises, showing the sales area and the dates on which flowers or plants are to be sold. Any provision of these regulations to the contrary notwithstanding, the zoning commissioner's approval of such a license shall expire 1 year after its issuance; however, such a license may be reapproved annually upon request of the licensee. [Bill No. 174, 1981.]

Transit facilities. [Bill No. 91, 1990.]

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Veterinarium. [Bill No. 85, 1967.]

Wireless transmitting or receiving structures 200 feet or less in height above grade level (see Section 426). [Bill No. 64, 1986.]

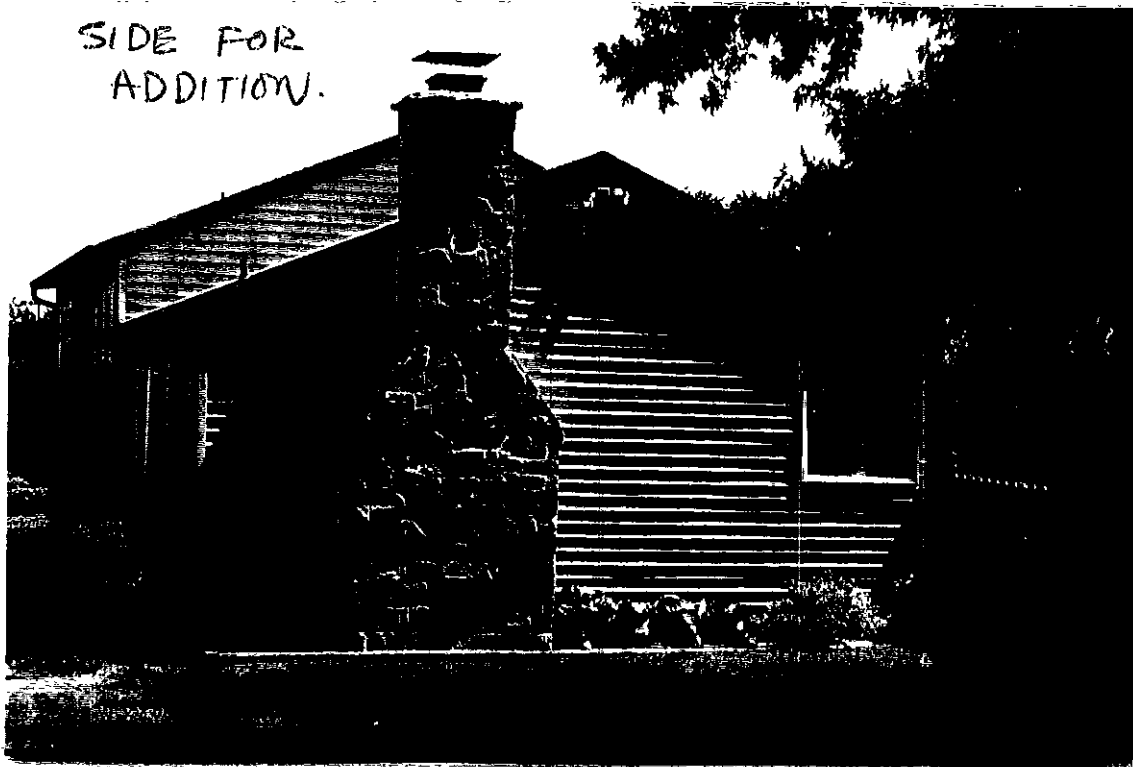
230.10--Combinations of the above uses. [Bill No. 111, 1968.]

230.11--Accessory uses or structures, including business signs (see Sections 413.2, 413.4, and 413.5), garages, and parking spaces for the use of owners, employees, tenants, and invitees. A maximum of six (6) coin-operated children's rides are permitted as an accessory use. [B.C.Z.R., 1955, Subsections 230.10 and 230.11; Bills No. 111, 1968; No. 29, 1982.]

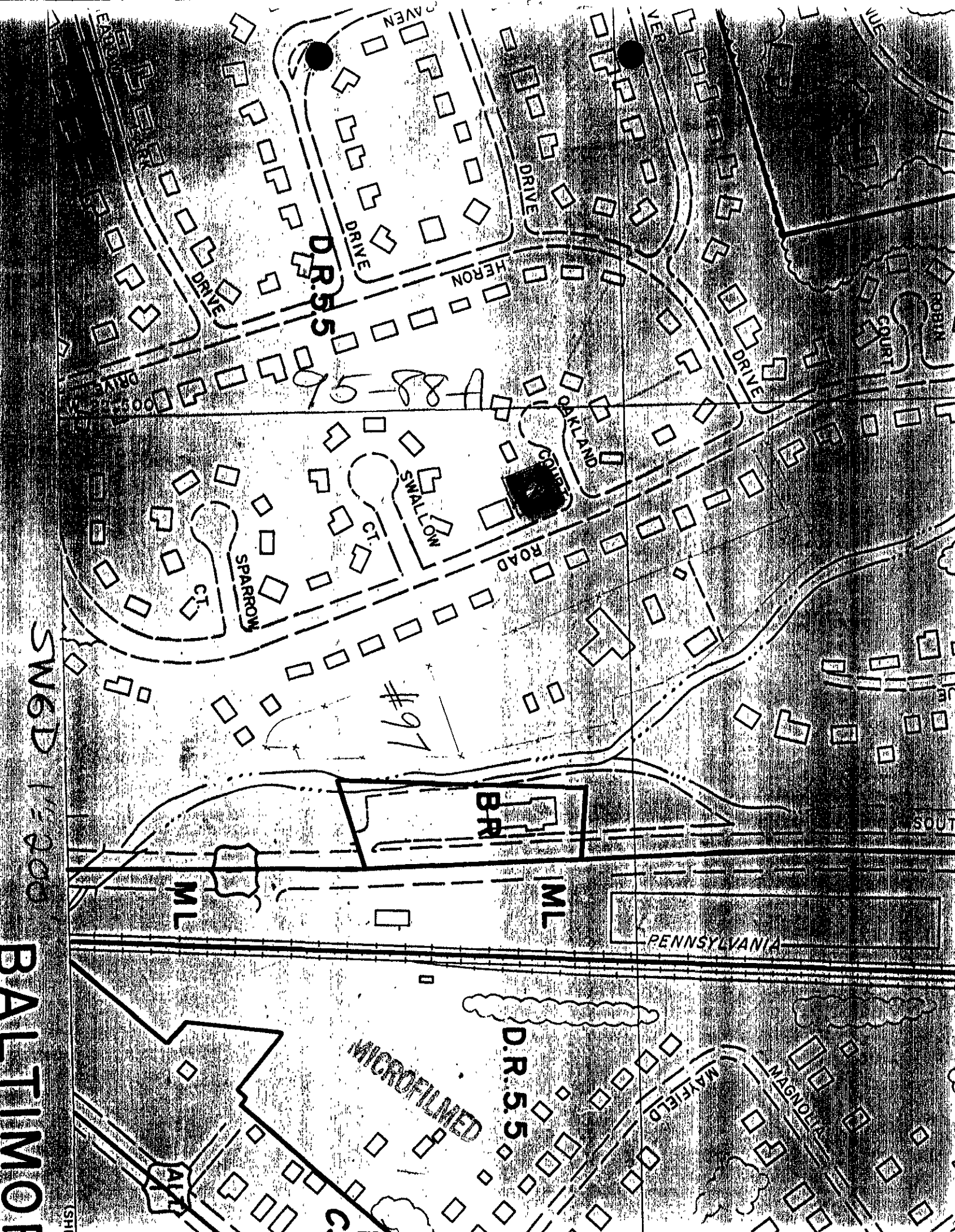
230.12--All the above uses in Section 230 are subject to the following conditions:

- A. They shall be contained, except for signs, restaurants, swimming pools, outdoor sales or display areas, parking lots, helistops, or picnic groves within completely enclosed buildings. [B.C.Z.R., 1955; Bill No. 85, 1967.]
- B. Not more than 5 persons shall be engaged in the repair or fabrication of goods on the premises.
- C. Not more than 5 horsepower shall be employed in the operation of any one machine used in repair or fabrication, and not more than 15 horsepower in the operation of all such machines.

95-88-A



MICROFILMED



D.R. 55

95-88A

#97

BR

ML

ML

PENNSYLVANIA

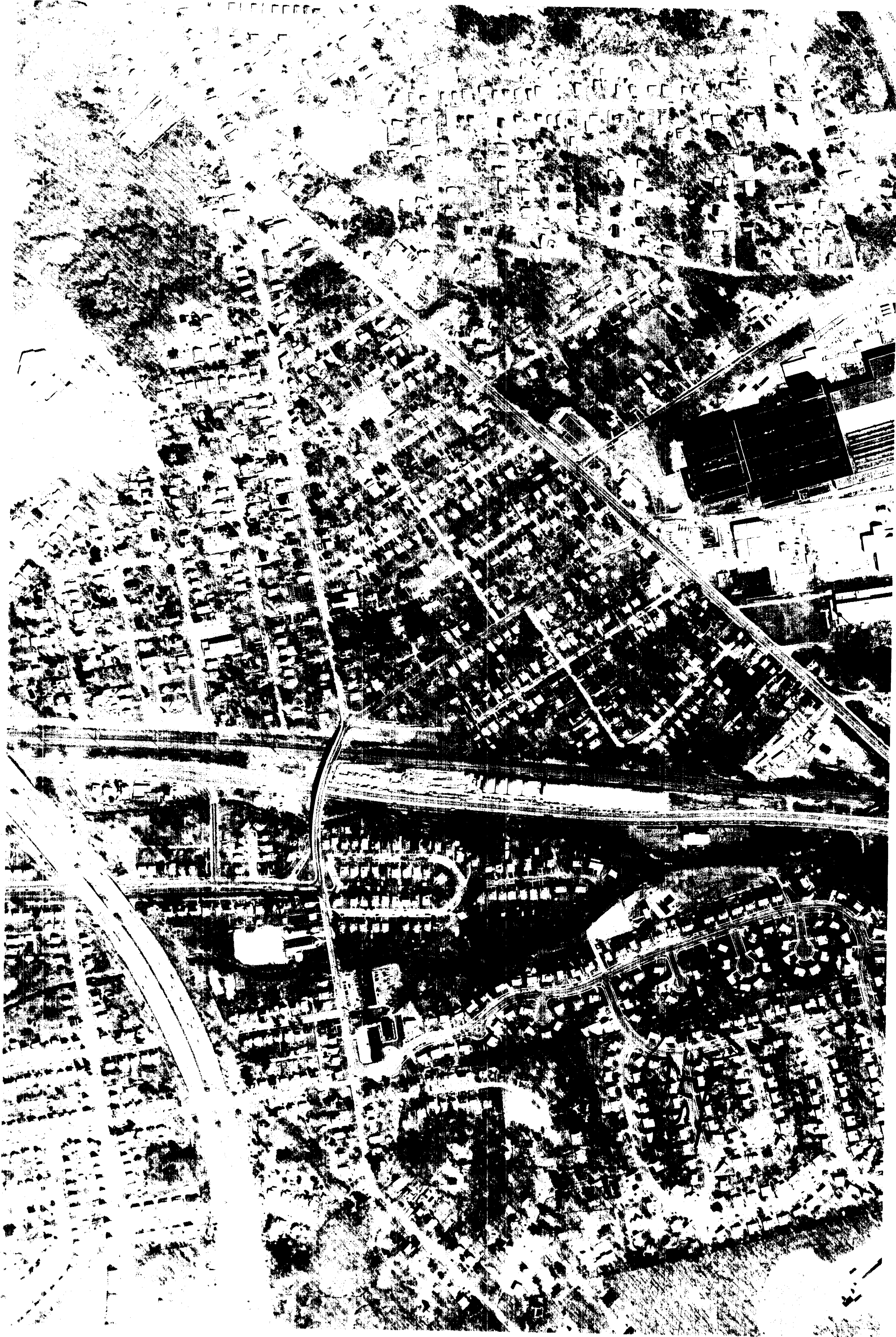
MICROFILMED

D.R. 55

SW6D 1-2000

BALTIMORE

(SH)



SHEET
LOCATION
SCALE
DATE
OF
PHOTOGRAPHY
JANUARY
1986

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SW 6D

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W.V. 25401

95-88-A

IN RE: PETITION FOR RESIDENTIAL
ZONING VARIANCE
5806 Oakland Road
13th Election District
1st Councilmanic District
Joseph R. Twilley
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 95-88-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Joseph R. Twilley for that property known as 5806 Oakland Road in the Winnewood subdivision of Baltimore County. The Petitioner/property owner herein seeks a variance from Section III - "A" Residence Zone C.3 as amended 1953 to permit a setback for a corner side of 7 ft. from the property line and 32 ft. from street centerline, in lieu of the required 15 ft. and 40 ft. respectively, for a proposed addition, as more particularly described on Petitioner's Exhibit No. 1, the plat to accompany the Petition.

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Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 7th day of October, 1994 that the Petition for a Zoning Variance from Section III - "A" Residence Zone C.3 as amended 1953 to permit a setback for a corner side of 7 ft. from the property line and 32 ft. from street centerline, in lieu of the required 15 ft. and 40 ft. respectively, for a proposed addition, all in accordance with Petitioner's Exhibit No. 1, be and is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

1. The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES/mm

-2-

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

October 6, 1994

Mr. Joseph R. Twilley
5806 Oakland Road
Baltimore, Maryland 21227

RE: Petition for Administrative Variance
Case No. 95-88-A
Property: 5806 Oakland Road

Dear Mr. Twilley:

Enclosed please find the decision rendered in the above captioned case. The Petition for Administrative Variance has been granted, in accordance with the attached Order.

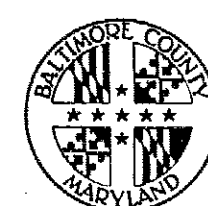
In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner

LES:mmm
encl.

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on Recycled Paper



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 5806 Oakland Road

which is presently zoned DR 5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section III - "A" Residence Zone C.3 as amended 1953 to permit a setback for a corner side of 7 ft. from property line and 32 ft. from street centerline in lieu of the required 15 ft. and 40 ft. respectively. (For a proposed addition).

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

Existing property and building does not allow new proposed addition to be located anywhere else on the property. New proposed building addition is to be used for expansion of family.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc. upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Corrected Petitioner/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zip Code

Signature

Address

City

State

Zip Code

We do solemnly declare and affirm, under the penalties of perjury, that we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

Joseph R. Twilley

(Type or Print Name)

Signature

Address

City

State

Zip Code

Signature

Address

City

State

Zip Code

REVIEWED 9/18/94 DATE 9/18/94
ESTIMATED POSTING DATE 9/18/94

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ITEM # 97

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District 13th

Posted for: Variance

Petitioner: Joseph R. Twilley

Location of Sign: 5806 Oakland Rd, SW corner Oakland Ct

Remarks: Twilley, reading R.C. property being zoned

Posted by: W. Twilley

Number of Signs: 1

Date of Posting: 9/14/94

Date of return: 9/13/94

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/does presently reside at 5806 Oakland Road

Baltimore, Maryland 21227

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

The existing lot size and construction and position of existing building will not allow addition to be placed or located at any other position on the property.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Joseph R. Twilley
(Type or Print Name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 28th day of August, 19 94, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Joseph R. Twilley

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

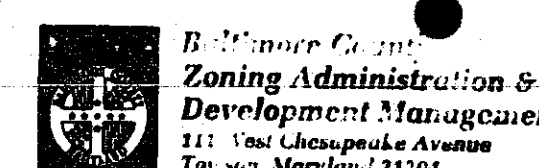
AS WITNESS my hand and Notarial Seal.

8/23/94

My Commission Expires: October 15, 1994

ZONING DESCRIPTION FOR : 5806 Oakland Road
Election District 13 Councilmanic District 01

Beginning at a point on the West side of Oakland Road which is 60 ft. wide at a distance of 0 ft. South of Oakland Court which is 50 ft. wide. Being Lot # 2 Block E, Section # 2 in the subdivision of Wynnewood as recorded in Baltimore County Plat Book # 20, Folio # 155, containing .22 acres.



Baltimore County
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt

Account: R-001-6180

Number 97

By JLL

Date 9/8/94

1 RES VAR CDE 010 \$50.00

1 SIGN. CDE 080 35.00

TOT = \$85.00

LOC. 5806 OAKLAND RD

CORNER TWILLEY

03A03M028M1CHRC
BA C011:01AM09-08-94 \$85.00

Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- Posting fees will be accessed and paid to this office at the time of filing.
- Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

Arnold Jablon, DIRECTOR

For newspaper advertising:

Item No.: 97

Petitioner: JOSEPH R. Twilley

Location: 5806 OAKLAND ROAD

PLEASE FORWARD ADVERTISING BILL TO:

NAME: JOSEPH R. Twilley

ADDRESS: 5806 OAKLAND ROAD

Baltimore, Md. 21227

PHONE NUMBER: (410) 242-0423

AJ:ggg

(Revised 04/09/93)

Item Number: 97
Planner: JLL
Date Filed: 9-8-94

PETITION PROCESSING FLAG

This petition has been accepted for filing, after an initial review, and has been placed on the agenda for the zoning advisory committee. However, the following items were found to be missing or incomplete when the petition was included on the agenda by Sophia. A copy of this "Flag" will be placed in the case file for the Zoning Commissioner's review. The planner that accepted the petition for filing has the option of notifying the petitioner and/or attorney prior to the hearing or Zoning Commissioner's review of the petition regarding the items noted below. If the petitioner/attorney is contacted by the planner, it is the petitioner's ultimate decision and responsibility to make a proper application, address any zoning conflicts, and to file revised petition materials if necessary. Delays and unnecessary additional expenses may be avoided by correcting the petition to the proper form.

Need an attorney

The following information is missing:

- Descriptions, including accurate beginning point
- Actual address of property
- Zoning
- Acresage
- Plats (need 12, only 1 submitted)
- 200 scale zoning map with property outlined
- Election district
- Councilmanic district
- BCZM section information and/or wording
- Hardship/practical difficulty information
- Owner's signature (need minimum 1 original signature) and/or printed name and/or address and/or telephone number
- Contract purchaser's signature (need minimum 1 original signature) and/or printed name and/or address and/or telephone number
- Signature (need minimum 1 original signature) and/or printed name and/or title of person signing for legal owner/contract purchaser
- Power of attorney or authorization for person signing for legal owner and/or contract purchaser
- Attorney's signature (need minimum 1 original signature) and/or printed name and/or address and/or telephone number
- Notary Public's section is incomplete and/or incorrect

PET-FLAG (TXTSOPH)
11/17/93

111 West Chesapeake Avenue
Towson, MD 21204

Joseph R. Twilley
5806 Oakland Road
Baltimore, Maryland 21227

RE: Item No. 97, Case No. 95-688
Petitioner: J. Twilley

SEP 28 1994

Dear Petitioner:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on September 8, 1994 and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

- 1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.
- 2) Anyone using this system should be fully aware that they are responsible for the accuracy and completeness of any such petition. All petitions filed in this manner will be reviewed and commented on by Zoning personnel prior to the hearing. In the event that the petition has not been filed correctly, there is always a possibility that another hearing will be required or the Zoning Commissioner will deny the petition due to errors or incompleteness.
- 3) Attorneys, engineers and applicants who make appointments to file petitions on a regular basis and fail to keep the appointment without a 72 hour notice will be required to submit the appropriate filing fee at the time future appointments are made. Failure to keep these appointments without proper advance notice, i.e. 72 hours, will result in the forfeiture loss of the filing fee.

W. Carl Richards, Jr.
Zoning Supervisor

W. Carl Richards, Jr.
Zoning Supervisor

WCR:jaw

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Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

Ms. Julie Winiarski
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: * 97 (JLL)

Dear Ms. Winiarski:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small
for David Ramsey, Acting Chief
Engineering Access Permits
Division

BS/

My telephone number is _____
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free
Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: September 15, 1994

FROM: Pat Keller, Director
Office of Planning and Zoning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):

Item Nos. 90, 93, 94, 95, 96, 97, 98 and 99.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by: Jeffrey M. Long

Division Chief: Campbell Kenna

PK/JL:lw

ZAC. 90/PZONE/ZAC1

BALTIMORE COUNTY, MARYLAND
Interoffice Correspondence

TO: Arnold Jablon, Director DATE: September 26, 1994
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E., Chief
Developers Engineering Section

SUBJECT: Zoning Advisory Committee Meeting
for September 28, 1994
Items 90, 91, 93, 94, 95, 97, 98 and 99

The Developers Engineering Section has reviewed the zoning items for the subject meeting and we have no comments.

RWB:sw

700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 09/28/94

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: SEE BELOW

Item No.: SEE BELOW Zoning Agenda

Sentiment:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

2. The Fire Marshal's Office has no comments at this time. IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 90, 93, 94, 95, 97, 98 AND 99.

REVIEWER: LT. ROBERT P. SOUERWALD
Fire Marshal Office, PHONE 887-4881, WS-1105P

cc: File

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BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: ZADM Joyce Watson
FROM: DEPRM Development Coordination
SUBJECT: Zoning Advisory Committee
Agenda: Sept. 19

DATE: 9/28/94

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s: 90

95

96

97

98

99

99

99

99

99

99

99

99

LS:sp

LETTY2/DEPRM/TXTSPB

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

September 16, 1994

NOTICE OF CASE NUMBER ASSIGNMENT

TO: Joseph R. Twilley
5806 Oakland Road
Baltimore, Maryland 21227

Re: CASE NUMBERS: 95-88-4 (Item 97)
5806 Oakland Road
5806 Oakland Road and Oakland Court
13th Election District - 1st Councilmanic

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refrainer regarding the administrative process.

1) Your property will be posted on or before September 18, 1994. The closing date (October 3, 1994) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

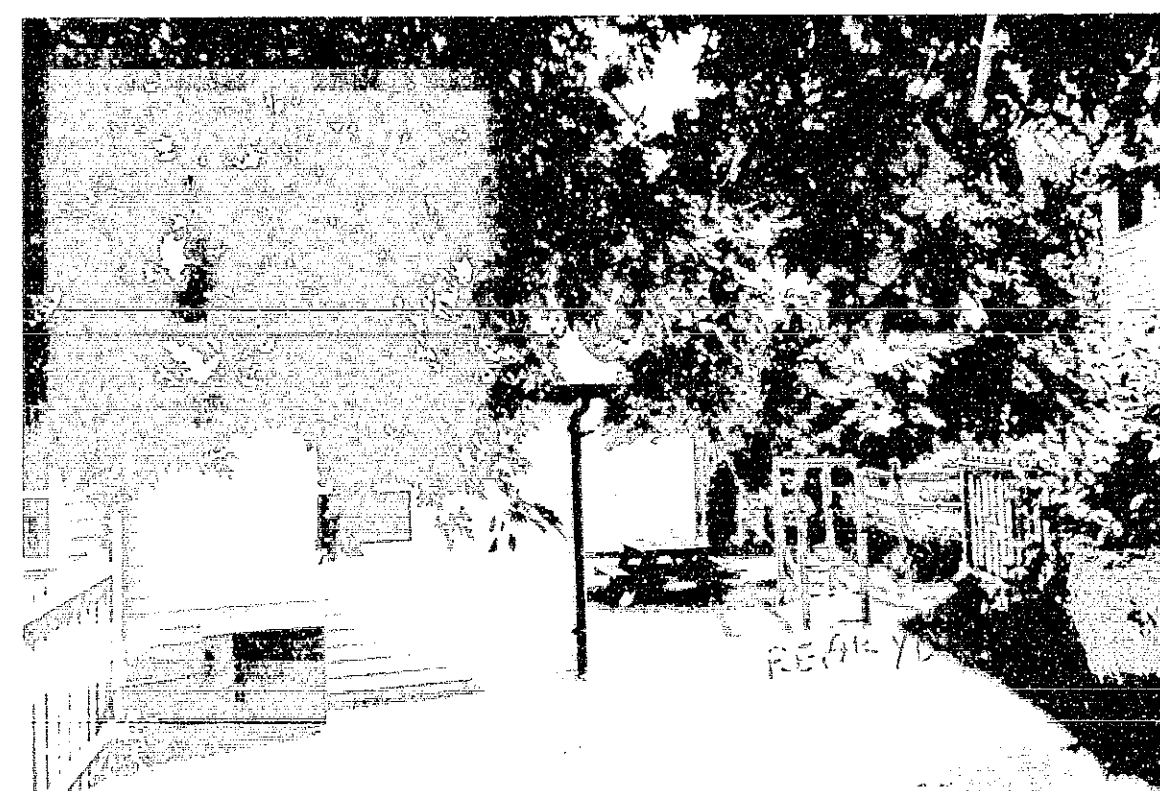
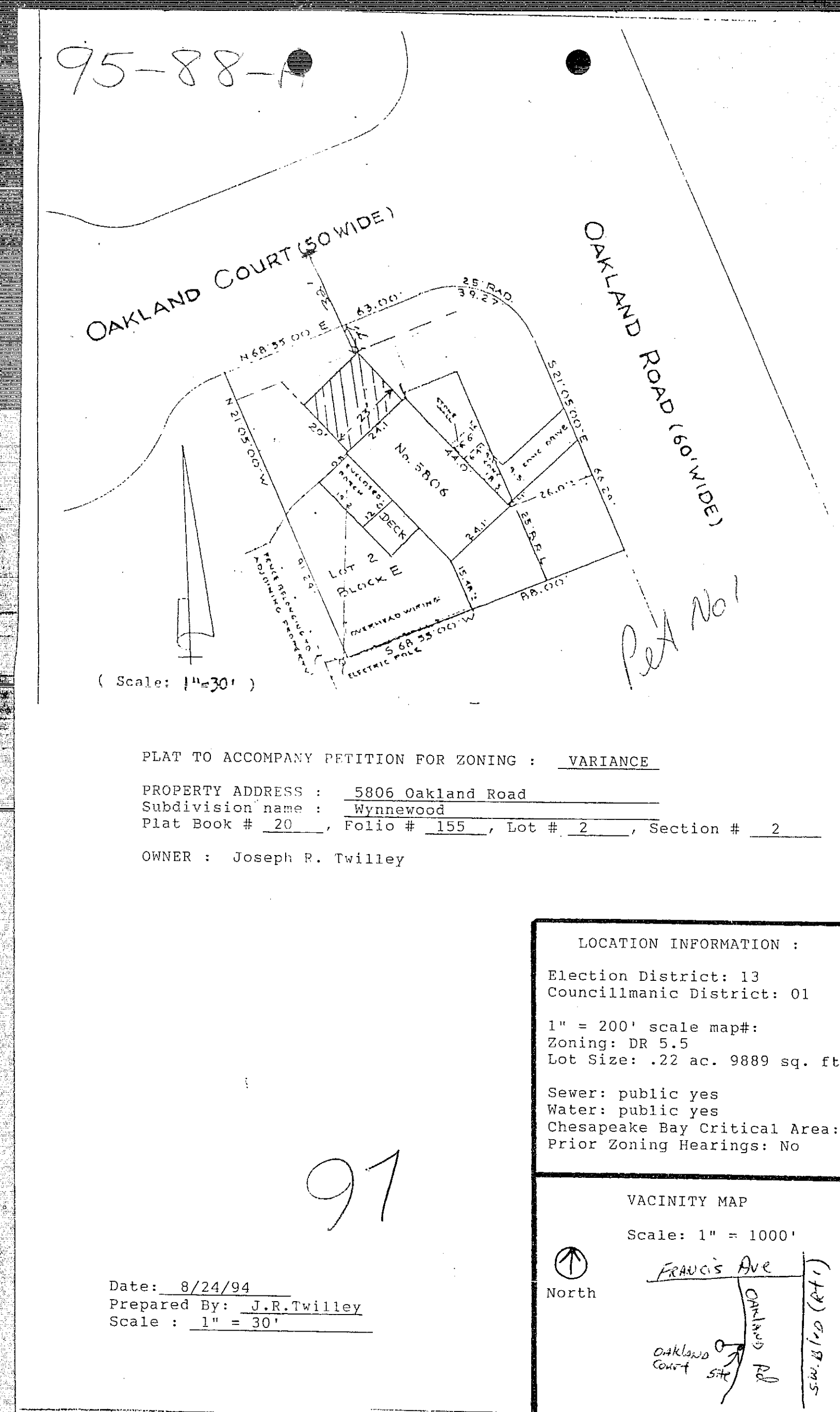
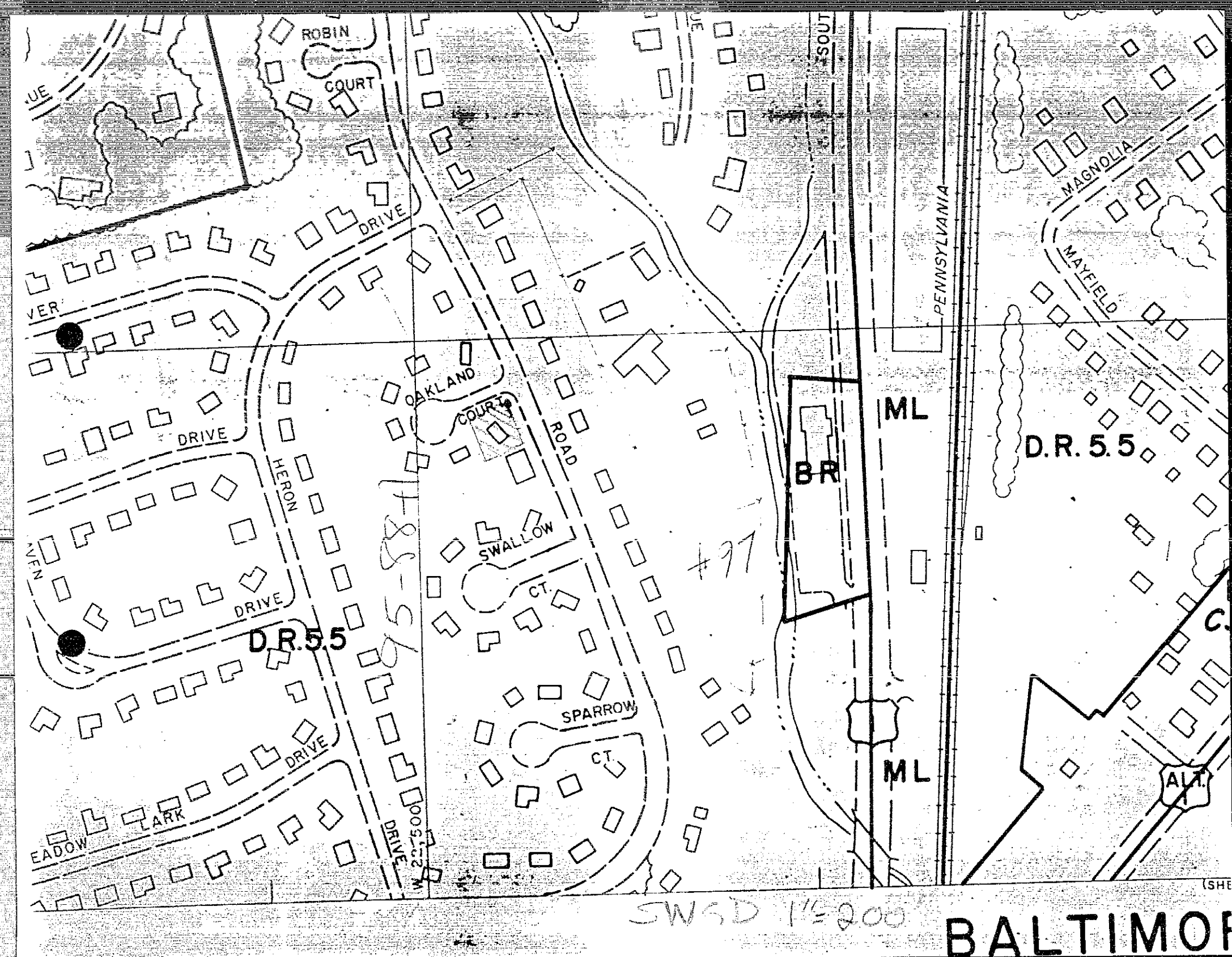
2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reported and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reporting and newspaper advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$50.00 charge.

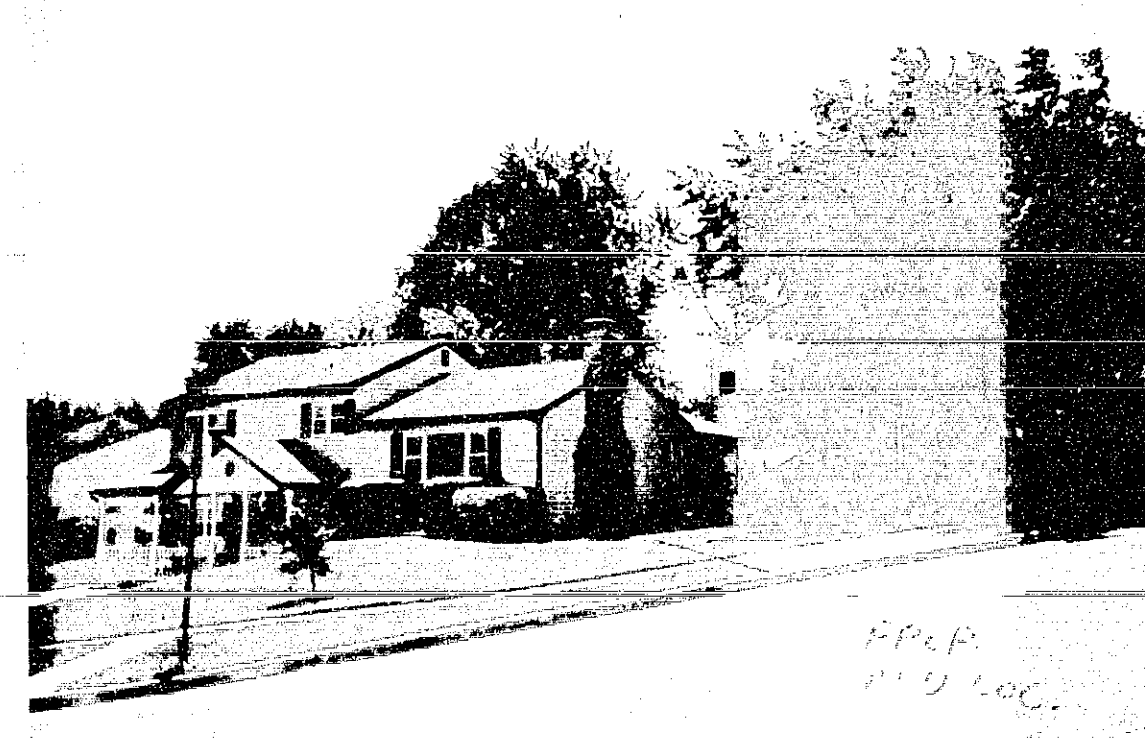
PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Arnold Jablon
Director

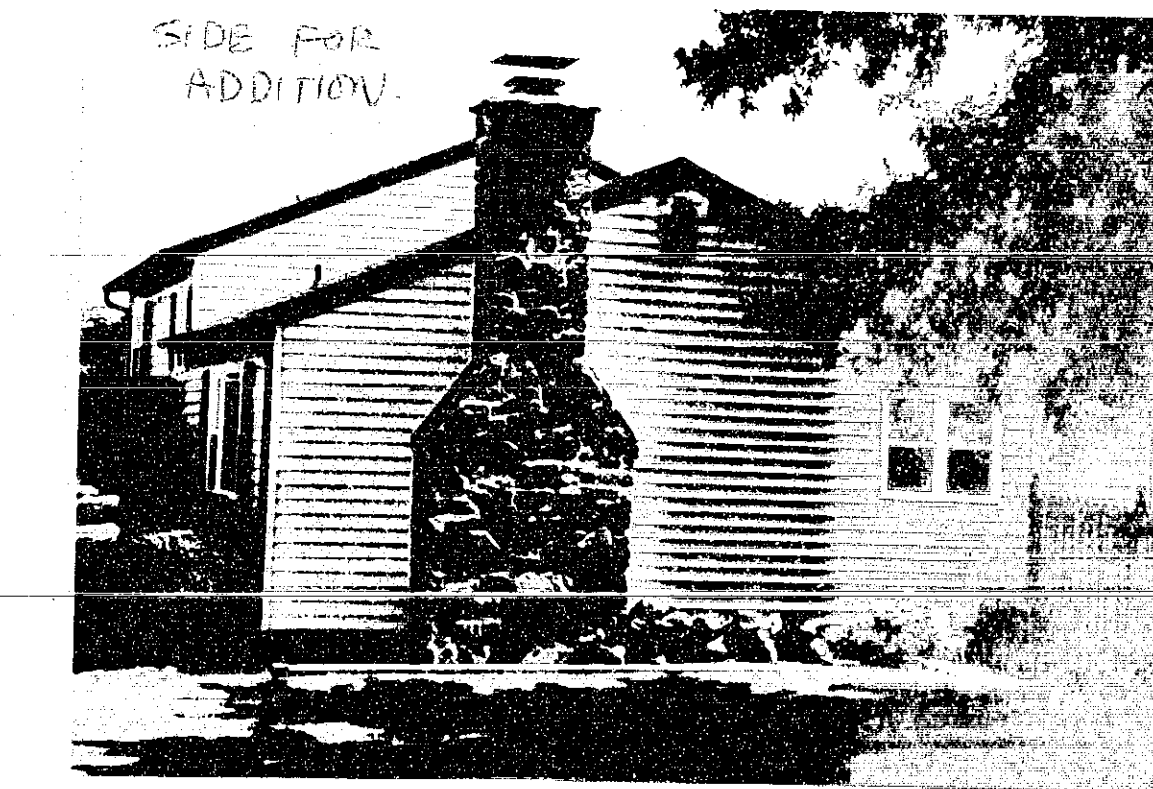
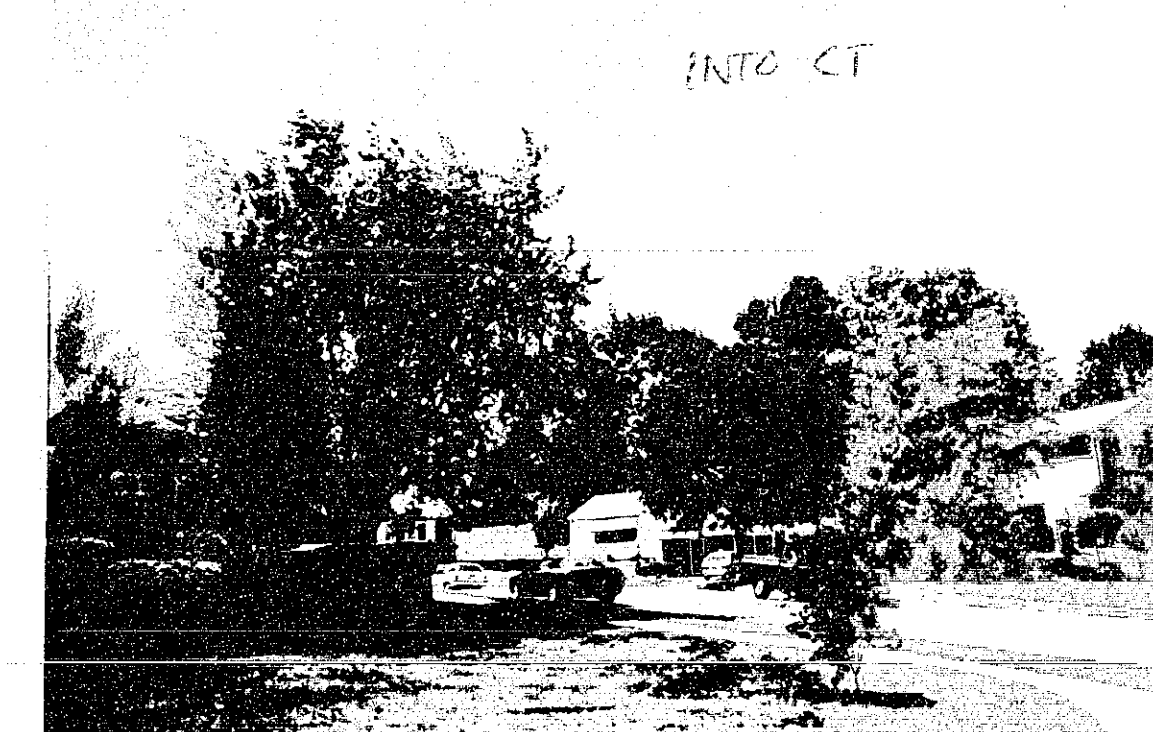
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INSIDE LOT LINE (NO ROOM)



PROP. 11/1/94



SIDE FOR ADDITION

95-88-A



SW 6D

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W.V. 25401

SCALE	LOCATION	SHEET
1" = 200' ±	HALETHORPE	SW 6-D
DATE OF PHOTOGRAPHY JANUARY 1986		